

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRAD HARBISON, as Independent  
Administrator of the Estate of Danielle  
Renee Harbison,; and BRAD HARBISON,  
as next friend of minor children Wes  
Harbison and Molly Harbison;

Plaintiffs,

vs.

COUNTY OF SARPY, Nebraska, a political  
subdivision of the State of Nebraska;  
SARPY COUNTY SHERIFF'S OFFICE, an  
Agency of the County of Sarpy; JEFF  
DAVIS, Sheriff; CITY OF BELLEVUE, a  
municipal corporation and political  
subdivision of the State of Nebraska;  
BELLEVUE POLICE DEPARTMENT, an  
agency of the City of Bellevue; MARK  
ELBERT, Police Chief; BELLEVUE FIRE  
DEPARTMENT, an agency of the City of  
Bellevue; PERRY GUIDO, Fire Chief; CITY  
OF PAPIILLION, a municipal corporation and  
political subdivision of the State of  
Nebraska; PAPIILLION FIRE AND  
RESCUE, an agency of the City of Papillion;  
WELLPATH, LLC, a Delaware Limited  
Liability Company; JOHN DOES 1 - 16,  
JOHN DOES 13 AND 14, MARK TOPIL,  
MARK SHILLER, ALLYSA RANGE,  
TIMOTHY KENDALL, CODY KRUSE,  
DANIEL POTMESIL, REECE POST,  
AARON JONES, AARON JEZEK, MATT  
MCGINN, ERIN MCCORMICK, JASON  
WEBER, MARK ARMSTRONG, ERIC  
MIXAN, and KEITH SANDERS,

Defendants.

**8:20CV245**

**ORDER OF DISMISSAL**

This matter is before the court on the parties' stipulation for the dismissal of  
defendants City of Papillion, Papillion Fire & Rescue, and Wellpath, LLC., Filing No. 79.

Pursuant to the stipulation and Federal Rule of Civil Procedure 41(a)(1)(A)(ii),  
IT IS HEREBY ORDERED that:

1. The plaintiffs' claims against Defendants City of Papillion, Papillion Fire & Rescue, and Wellpath, LLC., are dismissed, with prejudice, those parties to bear their own costs.
2. Defendants City of Papillion, Papillion Fire & Rescue, and Wellpath, LLC. are dismissed from this action.
3. Defendants City of Papillion, Papillion Fire & Rescue, and Wellpath, LLC.'s motion to dismiss (Filing No. 77) is denied as moot.

Dated this 28th day of September, 2020.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge